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DOCKET NO. <u>0399.2004-002</u>



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Declaration for Patent Application

s a named inventor, I hereby declare that:

N	My residence, ma	iling address and	citizenship are as stated next to my r	ame;					
inventor (if plural names ar	e listed in the sign	sole inventor (if only one name is linatory page(s) commencing at page on the invention entitled	sted) o 3 here	or an or of) of t	igina he su	ıl, firs bject	t and matt	l joint er which
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the specifi	cation of which (check one)							
[] is	is attached hereto.								
[X] w	as filed on Apr	il 13, 2001	as United States Application						
N	lumber or PCT Ir	nternational Appli	cation No. 09/834,998						
aı	nd was amended	on	(if applicable).						
I including t	hereby state that he claims, as ame	I have reviewed a ended by any ame	nd understand the contents of the about	ove-id	entified	i spe	cifica	tion,	
§1.56, incl	uding for continu of the prior appli	ation-in-part appl	nformation which is material to pater ications, material information which ional or PCT international filing date	becan	ne avai	lable	betw	een t	he
for patent of country oth any foreign	or inventor's certiner than the Unite application for p	ficate, or 365(a) o d States of Ameri	its under 35 U.S.C. 119(a)-(d) or 36: if any PCT international application of a, listed below and have also identifies certificate, or of any PCT internation or internation of the control of the contro	which fied be	designation.	ated :	at leas	st on the	e box.
		<u>P</u>	rior Foreign Application(s)	N	ority Not nimed		Cert: Copy ES	Filed	
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I hereby cla	aim the benefit un	der 35 U.S.C. §11	19(e) of any United States provisiona	l appli	cation(s) lis	ted b	elow	· .
	0/164,808 on Number)		November 10, 1999 (Filing Date)						
(whhueano	n manner)		(Luma Date)						
(Applicatio	n Number)		(Filing Date)						

I hereby claim the benefit under 35 U.S.C. 120 of any United States application(s), or 365(c) of any PCT international application designating the United States of America, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of 35 U.S.C. 112, I acknowledge the duty to disclose information known by me to be material to patentability as defined in 37 C.F.R. 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application:

09/644,039		August 22, 2000	Abandoned
(Application Serial N	0.)	(Filing date)	(Status: patented, pending, abandoned)
(Application Serial N	o.)	(Filing date)	(Status: patented, pending, abandoned)
(Application Serial No	o.)	(Filing date)	(Status: patented, pending, abandoned)
(Application Serial No	o.)	(Filing date)	(Status: patented, pending, abandoned)
Hamilton, Brook, Sn Customer No. 21	nith & Reyno 005,		, Lexington, Massachusetts 02421-4799
		Registration No. 32,227, of Cambridge, Massachusetts	Whitehead Institute for Biomedical Research, 02142,
to prosecute this appli	cation and to	transact all business in the Pat	ent and Trademark Office connected therewith.
Please send corre	spondence to	:	
[X] Customer No		21005 HAMILTON, BROOK, SM Two Militia Drive Lexington, MA 02421-4799	ITH & REYNOLDS, P.C.
or		Lexington, WA 02421-4/99	
or [] Address as fo		Lexington, WA 02421-4799	-
[] Address as fo	llows:	Anne J. Collins, Esq.	Telephone No.: 781-861-6240
[] Address as fo	llows:		Telephone No.: 781-861-6240 Facsimile No.: 781-861-9540
Direct telephon Direct facsim I hereby declar on information and belthat willful false staten 1001 of Title 18 of the	one calls to: iles to: are that all states are believed that and the United States	Anne J. Collins, Esq. Anne J. Collins, Esq. tements made herein of my owed to be true; and further that the like so made are punishable by a Code and that such willful fat	
Direct telephon Direct facsim I hereby declar on information and belthat willful false staten	one calls to: iles to: are that all states are believed that and the United States	Anne J. Collins, Esq. Anne J. Collins, Esq. tements made herein of my owed to be true; and further that the like so made are punishable by a Code and that such willful fat	Facsimile No.: 781-861-9540 In knowledge are true and that all statements made hese statements were made with the knowledge of fine or imprisonment, or both, under Section lese statements may jeopardize the validity of the
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Direct telephon Direct telephon Direct facsim I hereby declar on information and belief that willful false staten 1001 of Title 18 of the application or any pater of the properties of the pro	one calls to: iles to: are that all states are believed the states and the United States and issued there Roberto A	Anne J. Collins, Esq. Anne J. Collins, Esq. tements made herein of my owed to be true; and further that take so made are punishable by a Code and that such willful faceon.	Facsimile No.: 781-861-9540 In knowledge are true and that all statements made hese statements were made with the knowledge fine or imprisonment, or both, under Section lese statements may jeopardize the validity of the
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Direct telephon Direct facsim I hereby declar on information and belighed that willful false staten 1001 of Title 18 of the application or any pate or first inventor	one calls to:	Anne J. Collins, Esq. Anne J. Collins, Esq. tements made herein of my owed to be true; and further that take so made are punishable by Code and that such willful faceon. A. Gaxiola The Hope Road Apt. 3	Facsimile No.: 781-861-9540 In knowledge are true and that all statements made hese statements were made with the knowledge of fine or imprisonment, or both, under Section lese statements may jeopardize the validity of the

Full name of second jo	pint	
inventor, if any	Gerald R. Fink	
Inventor's Signature		Date
Residence	40 Ashton Road	
	Chestnut Hill, MA 02167	
Citizenship	USA	
Mailing Address		
Full name of third join	t	
inventor, if any	Seth L. Alper	
Inventor's Signature		Date
Residence	74 Orchard Street	
	Boston, MA 02130	
Citizenship	USA	
Mailing Address	Same As Above	
::ODMA\MHODMA\i		

DOCKET NO. 0399,2004-002
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Declaration for Patent Application

As a named inventor, I hereby declare that:

My residence, mailing address and citizenship are as stated next to my name;

I believe I am the original, first and sole inventor (if only one name is listed) or an original, first and joint inventor (if plural names are listed in the signatory page(s) commencing at page 3 hereof) of the subject matter which is claimed and for which a patent is sought on the invention entitled

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the Siv	ecification of which (check one)	- 114MA-L					<u>-</u>	
[]	14 attached hereto.								
	was filed on April 13, 2001 as United States Application								
[X]	was filed on Api	11 13, 2001	as United States Application						
	Number or PCT I	iternational Applica	ation No. 09/834,998						
	and was amended	on	(if applicable).						
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country any for	ent or inventor's certi y other than the Unite	fficate, or 365(a) of ed States of Americ patent or inventor's	ts under 35 U.S.C. 119(a)-(d) or 365. Fany PCT international application was, listed below and have also identificertificate, or of any PCT internation iority is claimed:	hich d ed be	lesigna low, by	ued : / che	at lea cking	st one	box.
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(Āppli	60/164,808 icrtion Number)		November 10, 1999 (Filing Date)		4 100 m 10 m 200 - 10 m	920			·
, Apph	ication Number)		(Filing Date)				· · · · · ·		

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09/644,039		August 22, 200	00 Abandoned
(Application Serial No	v.)	(Filing date)	(Status: patented, pending, abandoned)
(Application Serial No	0.)	(Filing date)	(Status: patented, pending, abandoned)
(Application Serial No	0.)	(Filing date)	(Status: patented, pending, abandoned)
(Application Serial No	n.)	(Filing date)	(Status: patented, pending, abandoned)
	nith & Reynol		and/or agents associated with rive, Lexington, Massachusetts 02421-4799
and <u>Patricia Gra</u> <u>Nine Cam</u> br	nahan, Esq., l idge Center, C	Registration No. 32,227 Cambridge, Massachus	7, of Whitehead Institute for Biomedical Research, etts 02142,
to prosecute this appli	cation and to ti	ansact all business in the	e Patent and Trademark Office connected therewith.
Please send corre	spondence to:		
[X] Customer No] '}	11005 IAMILTON, BROOK, Iwo Militia Drive Lexington, MA 02421-4	, SMITH & REYNOLDS, P.C. 4799
[] Address as fe	ollows:		
Direct teleph	one calls to: <u> </u>	Anne J. Collins, Esq.	Telephone No.: 781-861-6240
Direct facsin	ules to:	Anne J. Collins, Esq.	Facsimile No : 781-861-9540
on information and be that willful false state:	lief are believe ments and the li e United States	d to be true; and further the so made are punishab Code and that such will	ny own knowledge are true and that all statements made that these statements were made with the knowledge ble by fine or imprisonment, or both, under Section ful false statements may jeopardize the validity of the
Full name of sole		·	
or first inventor	Roberto A	Gaxiola	
Inventor's Signature_		4-1 (pig-4)31/A-194-4	Date
Residence		nt Hope Road, Apt. 3	
•		Center, Connecticut	06250
Citizenship			
Mailing Address	Same as a	bove	
			N 19.

-3-

Full name of second p	pint	
inventor, if any	Geral R. Fink	
Inventor's Signature	Harly R. F.	Date 10/31/01
Residence	10 Ashfort Road 1015-101	
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Citizenship .	USA	
Mailing Address	Same As Above	\$-1654
Full name of third join	ıt	
inventor, if any	Soth I. Alper	
	74 Orchard Street	
	Boston, MA 02130	100
Citizenship	USA	
	Same As Above	
COLONA A NASLO DAZA A A	Muna was 235065.1	**************

DOCKET NO. <u>0399.2004-002</u>



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Declaration for Patent Application

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_	ecification of which	,							
[·]	is attached heret	0.							
[X]	was filed on <u>A</u>	pril 13, 2001	as United States Application						
	Number or PCT	International Appl	ication No. 09/834,998						
	and was amende	d on	(if applicable).						
includi	I hereby state thating the claims, as an	nt I have reviewed a mended by any ame	and understand the contents of the aboundment referred to above.	ove-ide	entified	i spe	cifica	tion,	
§1.56, filing d applica	including for continuate of the prior app	nuation-in-part app	information which is material to pater dications, material information which ational or PCT international filing date	becan	ie avai	lable	betw	reen 1	he
country any for	ent or inventor's cer y other than the Uni	rtificate, or 365(a) of ited States of Amer r patent or inventor	fits under 35 U.S.C. 119(a)-(d) or 36: of any PCT international application vica, listed below and have also identic's certificate, or of any PCT internation or or internation or internation in the content of the content in the con	which fied be	designation design	ated v che	at lea	st on the	e box.
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(Numb	er)	(Country)	(Day/Month/Year filed)	. []	[]	[]
I hereb	y claim the benefit	under 35 U.S.C. §1	19(e) of any United States provisiona	l applı	cation((s) lis	sted b	elow	·.
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09/644,039		August 22, 20	000 Abandoned
(Application Serial)	No.)	(Filing date)	(Status: patented, pending, abandoned)
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(Application Serial l	No.)	(Filing date)	(Status: patented, pending, abandoned)
(Application Serial l	No.)	(Filing date)	(Status: patented, pending, abandoned)
	Smith & Reynol		s and/or agents associated with Drive, Lexington, Massachusetts 02421-4799
and <u>Patricia G</u> Nine Camb	ranahan, Esq., oridge Center, (Registration No. 32,22 Cambridge, Massachus	7, of Whitehead Institute for Biomedical Research, setts 02142,
to prosecute this app	lication and to t	ransact all business in th	e Patent and Trademark Office connected therewith.
Please send corr	espondence to:		
[X] Customer N	No.	21005	, SMITH & REYNOLDS, P.C.
	•	HAMILTON, BROOK Fwo Militia Drive Lexington, MA 02421-	•
or	i	Two Militia Drive	•
or	i	Two Militia Drive	•
or [] Address as f	follows:	Two Militia Drive	•
or [] Address as to Direct teleptor	follows:	Fwo Militia Drive Lexington, MA 02421-	4799
or [] Address as a part of the part of t	follows: hone calls to:	Anne J. Collins, Esq. Collins, Esq. Comments made herein of med to be true; and further like so made are punishable Code and that such willing	4799 Telephone No.: 781-861-6240
or [] Address as a Direct telep Direct facsion information and bethat willful false state 1001 of Title 18 of the state in the state	follows: hone calls to:	Anne J. Collins, Esq. Collins, Esq. Comments made herein of med to be true; and further like so made are punishable Code and that such willing	Telephone No.: 781-861-6240 Facsimile No.: 781-861-9540 ray own knowledge are true and that all statements made that these statements were made with the knowledge ble by fine or imprisonment, or both, under Section
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or [] Address as the difference of the property of the prope	follows: hone calls to:/ miles to:/ clare that all state elief are believe ements and the li ne United States tent issued there	Anne J. Collins, Esq. Anne J. Collins, Esq. Anne J. Collins, Esq. ements made herein of m d to be true; and further ike so made are punishable Code and that such willforn.	Telephone No.: 781-861-6240 Facsimile No.: 781-861-9540 ray own knowledge are true and that all statements made that these statements were made with the knowledge ble by fine or imprisonment, or both, under Section
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or [] Address as a property of the property	follows: hone calls to:	Anne J. Collins, Esq. Anne J. Collins, Esq. Anne J. Collins, Esq. ements made herein of m d to be true; and further like so made are punishable Code and that such willfoon.	Telephone No.: 781-861-6240 Facsimile No.: 781-861-9540 ny own knowledge are true and that all statements made that these statements were made with the knowledge ble by fine or imprisonment, or both, under Section ful false statements may jeopardize the validity of the
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Full name of second	joint	
inventor, if any	Gerald R. Fink	
Inventor's Signature_		Date
Residence	40 Ashton Road	
	Chestnut Hill, MA 02167	
Citizenship	USA	
Mailing Address	Same As Above	
Full name of third join	int	
inventor, if any	Seth L. Alper	
Inventor's Signature_	Seth L. Alper	Date
Residence	74 Orchard Street	
	Boston, MA 02130	
Citizenship	USA	
Mailing Address	Same As Above	
::ODMA\MHODMA		